

5-11, 13, 18, and 19 would be allowable if rewritten in proper independent form and if the Applicant submits a Terminal Disclaimer.

In response, the Applicant has amended the specification on page 1 to clarify that parent U.S. Patent Application Serial No. 10/260,116 has matured into U.S. Patent No. 6,672,805. The Applicant respectfully submits that this amendment renders moot the objection to the specification.

Further, the Applicant has amended claim 1 to incorporate the subject matter of claim 2, claim 12 to incorporate the subject matter of claim 13, and claim 17 to incorporate the subject matter of claim 18. The Applicant further submits herewith a Terminal Disclaimer to disclaim that portion of any patent that should issue based on the present application beyond the expiration of U.S. Patent No. 6,672,805. The Applicant thus respectfully submits that claims 1, 3-12, 14-17, and 19 are in condition for allowance, and such allowance is respectfully requested.

By this Amendment, the Applicant respectfully submits claims 20-24. Claims 20, 22, and 24 correspond to the language of claims 8, 14, and 19 as originally filed. Claims 21 and 23 generally correspond to the language of claims 3 and 15 as originally filed but specify that a plurality of gear boxes are provided and that two shafts are provided for each gear box. The Applicant respectfully traverses the rejections of claims 8, 14, and 19 (rewritten as independent claims 20, 22, and 24) and submits that claims 3 and 15 as amended (claims 21 and 23) distinguish over Japanese Patent Application No. JP5 56-34828.

In particular, the '828 Japanese Application comprises wheel-type configuration in which a plurality of shafts (spokes) extend from a single central gear box (hub). Each shaft is connected to one of a plurality of vibratory devices connected to a large diameter caisson. The central gear box synchronizes the operation of the plurality of vibratory devices.

Claims 20, 22, and 24 specify that the timing system of the present invention interconnects the vibratory devices in a daisy chain configuration rather than a wheel-type configuration in which shafts extend like spokes from a single hub. The Applicant thus respectfully submits that claims 20, 22, and 24 distinguish the present invention

over the '828 Japanese Application and requests withdrawal of the rejection of the subject matter of claims 20, 22, and 24.

Claims 21 and 23 specify that a plurality of gear boxes are provided and that two shafts are associated with each gear box. The '828 application discloses a single central gear box, with a single shaft extending between the central gear box and each vibratory device. The Applicant thus respectfully submits that claims 21 and 23 also distinguish the present invention over the '828 Japanese Application and that claims 21 and 23 are in condition for allowance.

Attached hereto as Exhibit A is a Listing of amendments to the specification and claims made by this Amendment. The Listing contains the text of each pending claim, along with any amendments made hereby (illustrated using strikethrough and underlining) and the status of each pending claim.

Given the foregoing, the Applicant respectfully submits that currently pending claims 1, 3-12, 14-17, and 19-24 are in condition for allowance, and such allowance is respectfully requested. If there is any matter which could be expedited by consultation with the Applicant's attorney, such would be welcome. The Applicant's attorney can normally be reached at the telephone number below.

Signed at Bellingham, County of Whatcom, State of Washington this 8th day of December, 2004.

Respectfully submitted,

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CERTIFICATE OF MAILING
37 C.F.R. §1.8

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service as first class mail in an envelope addressed to Mail Stop Fee Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Signature: Susie Hubka

Name: Susie Hubka

Date: December 8, 2004